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7	(510) 291-3060 (Fax)		
8	Attorneys for Non-Party Anthony Levandowski		
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN FRANCISCO DIVISION		
12	WAYMO LLC,	Case No.: 3:17-cv-00939 WHA	
13	Plaintiff,	DECLARATION OF MILES EHRLICH IN SUPPORT OF DEFENDANTS'	
14	v. )	ADMINISTRATIVE MOTION TO FILE UNDER SEAL THE DECLARATION	
15	UBER TECHNOLOGIES, INC., et al.,	OF ARTURO J. GONZALEZ IN RESPONSE TO DECLARATION OF	
16	Defendants.	JEFF NARDINELLI AND EXHIBITS THERETO	
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20	I, Miles Ehrlich, declare as follows:		
21 22	1. I am an attorney licensed to practice in the State of California and am admitted to		
23	practice before this Court. I am a partner at the law firm Ramsey & Ehrlich LLP, counsel for Non-Party Anthony Levandowski. I have personal knowledge of the matters set forth in this		
24	Declaration, and if called as a witness I would testify competently to those matters.		
25	2. I make this declaration in support of Defendants' Administrative Motion to File		
26	Under Seal The Declaration Of Arturo J. Gonzalez In Response To Declaration Of Jeff		
27	Nardinelli And Exhibits Thereto, filed on September 19, 2017, Docket No. 1641 (the "Response		
28	Declaration"). The Administrative Motion seeks an order sealing the following documents based		
	EHRLICH DECLARATION ISO DEFENDANTS' ADMINISTRATIVE MOTION TO FILE UNDER SEAL Case No. 3:17-00939-WHA  1		

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on Mr. Levandowski's designation of confidentiality:

Document	Portion to Be Filed Under Seal	Designating Party
Declaration of Arturo J. Gonzalez in Response to Declaration of Jeff Nardinelli ("Response Declaration")	Highlighted Portions	Anthony Levandowski (Yellow)

- 3. The yellow highlighted portions of the Response Declaration at  $\P$  7 and  $\P$  7(a) are not subject to sealing.
- 4. The yellow highlighted portion of the Response Declaration at  $\P$  7(b) contains references to the contents of the Stroz report, which Mr. Levandowski has asserted and continues to assert is protected from disclosure under his Fifth Amendment privilege against selfincrimination under Fisher v. United States, 425 U.S. 391 (1975), and United States v. Sideman & Bancroft, LLP, 704 F.3d 1197 (9th Cir. 2013), as well as by the common interest/joint defense, attorney-client and attorney work product privileges. See, e.g., Non-Party Anthony Levandowski's Motion for Protective Order, filed on October 19, 2017, Dkt. No. 1682. We ask that the confidentiality of highlighted portions of the Response Declaration at  $\P$  7(b) be maintained until Mr. Levandowski's Motion for Protective Order is resolved.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct, and that this declaration was executed in Berkeley, California, on September 22, 2017.

Date: September 22, 2017 Respectfully submitted,

> /s/ Miles Ehrlich Miles Ehrlich Ramsey & Ehrlich LLP

Counsel for Non-Party Anthony Levandowski

EHRLICH DECLARATION ISO DEFENDANTS' ADMINISTRATIVE MOTION TO FILE UNDER SEAL Case No. 3:17-00939-WHA